

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

| | | |
|-------------------------|---|------------------|
| RONNIE LEE DENNIS, JR., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | NO. CIV-10-377-D |
| |) | |
| |) | |
| ROGER LEVICK, et al., |) | |
| |) | |
| Defendants. |) | |

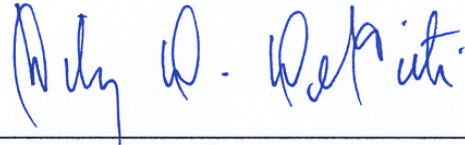
ORDER AND JUDGMENT

Plaintiff, a prisoner appearing *pro se*, brought this action pursuant to 42 U.S.C. §1983; he alleges that defendants have violated his constitutional rights. In accordance with 28 U.S.C. §636(b)(1)(B), the matter was referred to United States Magistrate Judge Doyle W. Argo for initial proceedings. Plaintiff filed a motion to proceed *in forma pauperis*. Because he failed to submit all material required for consideration of his motion, the Magistrate Judge directed him to cure the deficiencies in the motion. Plaintiff then filed a second motion to proceed *in forma pauperis*. Because that motion was also deficient, the Magistrate Judge gave Plaintiff additional time until May 14, 2010 to present a motion accompanied by the required material.

Plaintiff failed to comply. As a result, the Magistrate Judge filed a Report and Recommendation [Doc. No. 11] in which he recommended that the action be dismissed without prejudice to its refiling due to Plaintiff's failure to comply with the Court's orders. The Magistrate Judge also advised Plaintiff of his right to object to the Report and Recommendation, and scheduled a June 22, 2010 deadline for filing such objections. He further advised Plaintiff that failure to timely object would result in a waiver of his right to appeal the factual and legal issues in the Report and Recommendation.

The deadline expired some time ago, and Plaintiff has not filed an objection. Therefore, the Report and Recommendation [Doc. No. 11] is adopted as though fully set forth herein. This action is dismissed without prejudice to the filing of a new action.

IT IS SO ORDERED this 12th day of July, 2010.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE